UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,471	04/26/2001	Roger Kenneth Abrams	RPS920010007US1	7993

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KELLY K. KORDZIK
WINSTEAD SECHREST & MINICK PC
PO BOX 50784
DALLAS, TX 75201

EXAMINER
TRAN, MYLINH T

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	**Applicant(s)**
Office Action Summary	09/842,471	ABRAMS, ROGER KENNETH
	Examiner	**Art Unit**
	Mylinh Tran	2179

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 January 2005*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-55* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Applicant's Amendment filed 01/31/05 has been entered and carefully

considered. Claims 2-5 and 18-21 have been amended. However,

limitations of amended claims have not been found to be patentable

over prior art of record, therefore, claims 1-55 are rejected under the

new ground of rejection as set forth below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section

made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country
or in public use or on sale in this country, more than one year prior to the date of application
for patent in the United States.

Claims 1-55 are rejected under 35 U.S.C. 102(b) as being

anticipated by Robertson et al. [US. 5,598,183].

As to claims 1 and 17, Robertson et al. teaches a computer

implemented method and corresponding apparatus for improving a

selection of a graphic user interface (GUI) icon with a pointing device

comprising the steps/means for acquiring data corresponding to a

motion of a pointing cursor on a display, said motion of said pointing

cursor corresponding to a pointing device used to move said pointing

cursor from a first source position to a first destination position on said

display (column 1, lines 43-57 and column 2, lines 25-37); generating

a set of motion vectors corresponding to said motion of said pointing

cursor from said first source position to said first destination position (column 2, lines 44-56 and column 11, lines 8-51), and storing said set of motion vectors and said first destination position referenced to said first source position (column 1, lines 43-57 and column 4, lines 42-67). As to claims 2, 18, 34, 47, 50 and 53, Robertson et al. also discloses generating, within an application program, a first motion vector for said pointing cursor on said display as said pointing cursor moves from a second source position in response to a motion of said pointing device (column 2, lines 44-56 and column 11, lines 8-51); predicting a destination point icon in response to a compare of said second source position to a corresponding stored source position or a source position proximate to said second source position, wherein said corresponding stored source position which compares to said second source position also has stored said first motion vector or a motion vector proximate to said first motion vector (column 9, line 41 through column 10, line 5); and highlighting said destination point icon (column 11, lines 8-28). As to claims 3, 5, 11, 14, 19, 21, 27, 30, 41, 44, 48, 51 and 54, the claim is analyzed as previously discussed with respect to claim 2 except for the feature of "the highlighted destination point icon is actuated by a user of said pointing device". Robertson et al. shows the feature at column 11, lines 8-28.

As to claims 4, 20, 35, 49, 52 and 55, the claim is analyzed as previously discussed with respect to claim 2 except for the feature of

"modifying a motion of said pointing cursor to more nearly follow ideal motion vectors from said first source to said destination point icon".

Robertson et al. teaches the feature at column 8, line 67 through column 9, line 13.

As to claims 6, 22 and 36, Robertson et al. also teaches said display corresponding to a graphic user interface (GUI) (figures 3C-3D, column 3, lines 30-50).

As to claims 7, 8, 23, 24 and 37-38, Robertson et al. provides first source position being a position of a predetermined source point icon and said first destination position being a position of a predetermined destination point icon (column 3, lines 30-50).

As to claims 9, 25 and 39, Robertson et al. also provides motion vectors being generated each time said motion starts from a motion stop (column 10, line 55 through column 11, line 8).

As to claims 10, 26 and 40, Robertson et al. demonstrates motion vector comprising parameters defining a pointing cursor average velocity, starting position, stopping position, and motion direction (column 8, lines 18-50).

As to claims 12, 28 and 42, Robertson et al. also demonstrates said set of motion vectors are associated with said first source position and source said first source position, source positions proximate to and said first destination position and destination positions proximate to said second position (column 6, lines 24-60).

As to claims 13, 29 and 43, Robertson et al. discloses said second source position corresponding to a position of a source point icon (column 5, lines 8-55).

As to claims 15, 31 and 45, Robertson et al. also discloses pointing cursor locks to said destination point icon until a motion vector indicates a more likely destination point icon (column 5, lines 8-55).

As to claims 16, 32 and 46, Robertson et al. shows said pointing cursor motion proceeding from said first source position to said destination point icon corresponding to an ideal motion vector, said ideal motion vector motion changed only if a new destination point icon is determined (column 8, line 67 through column 9, line 13).

As to claim 33, the claim is analyzed as previously discussed with respect to claim 1 except for a central processing unit, a random access memory, a communications adapter coupled to a communication network, an I/O adapter and a bus system coupling said CPU to said ROM, said communication adapter, said I/O adapter, and said RAM. Robertson et al. shows these limitations at column 3, line 50 through column 4, line 15.

Response to Arguments

Applicant has argued that Robertson et al. do not disclose "generation a set of motion vectors corresponding to said motion of said pointing cursor from said first source position to said first destination position".

However, Robertson shows the cursor moving is from a first place to a

second place. By moving from one position to another position, it would have been inherent that Robertson's system generates a set of motion vectors corresponding to said motion of the cursor from the first position to the second position.

Applicant argues Robertson does not disclose "storing said set of motion vectors and said first destination position referenced to said first source position". However, Robertson shows the feature at column 1, lines 45-55 by citing "A first storage area stores the position data corresponding to a first position of the cursor...".

Applicant also argues that Robertson does not disclose "predicting, within an application program, a destination point icon by comparing a motion vector imparted by a user to a pointing cursor to a previously acquired motion vector acquired from said user moving said pointing cursor". However, Robertson shows the feature at column 2, lines 25-37 by citing "The prediction means predicts the intended user destination by examining cursor position data to determine a direction of cursor movement and determines whether the direction of cursor movement substantially coincides with a user selectable option, with the user selectable option being designated as the intended user destination if the direction of cursor movement substantially coincides with the user selectable option". Robertson teaches the step of comparing by examining cursor position data. Robertson also shows a

destination point icon at figure 3B (menu NEW is an icon). Applicant's

attention is directed to figure 4, 108.

Regarding claim 2, Applicant argues Robertson does not disclose

"generating, within an application program, a first motion vector for

said pointing cursor on said display as said pointing cursor moves

from a second source position in response to a motion of said pointing

device". However, the Examiner already responds to the argument

above. Robertson shows the cursor moving is from a first place to a

second place. By moving from one position to another position, it

would have been inherent that Robertson's system generates a set of

motion vectors corresponding to said motion of the cursor from the

first position to the second position.

Regarding claims 20-49, Applicant has argued that Robertson does

not disclose "predicting a destination point icon in response to a

compare of said second source position to a corresponding stored

source position or a source position proximate to said second source

position, wherein said corresponding stored source position which

compares to said second source position also has stored said first

motion vector or a motion vector proximate to said first motion vector".

However, Robertson shows the feature at column 2, lines 25-37 by

citing "The prediction means predicts the intended user destination by

examining cursor position data to determine a direction of cursor

movement and determines whether the direction of cursor movement

substantially coincides with a user selectable option, with the user selectable option being designated as the intended user destination if the direction of cursor movement substantially coincides with the user selectable option". Robertson teaches the step of comparing by examining cursor position data. Robertson also shows a destination point icon at figure 3B (menu NEW is an icon). Applicant's attention is directed to figure 4, 108.

Next, Applicant argues Robertson does not disclose "highlighting said destination point icon". However, the reference shows the feature at figure 3B. Applicant's attention is directed to column 8, lines 20-35. Regarding claim 4, Applicant has argued that Robertson does not disclose "modifying a motion of said pointing cursor to more nearly follow ideal motion vectors from said first source position to said destination point icon". However, Robertson teaches the step of altering the sensitivity of the cursor control device by citing "the system alters the sensitivity of the cursor control device when the cursor is in proximity with a control so that the cursor moves less distance for a given unit of movement of the cursor control device that when the cursor is not in proximity with a control (column 2, lines 37-44).

Regarding claim 7, Applicant has also argued Robertson does not disclose "wherein said first source position is a position of a predetermined source point icon". However, applicant's attention is

directed to column 1, lines 60-65 "The system further includes selection means for selecting one of the plurality of the intended positions as the first location in the second screen display". The intended positions are predetermined position. Applicant's attention is also directed to column 2, lines 5-10.

Regarding claim 9, Applicant argues Robertson does not teach "wherein another of said motion vectors is generated each time said motion starts from a motion stop". However, Robertson's system generates a set of motion vectors corresponding to said motion of the cursor from the first position to the second position.

Regarding claim 10, Applicant argues the reference does not teach "wherein said motion vector comprises parameters defining a pointing cursor average velocity, starting position, and motion direction". However, it would have been inherent that when the system generates a set of motion vectors corresponding to said motion of the cursor from the first position to the second position, it also teaches parameters to define the velocity, starting position and motion direction. How can the system generate the motion vector without these parameters?

Regarding claim 11, Applicant also argues Robertson does not show "wherein said set of motion vectors are stored in response to actuation said destination point icon". However, Robertson teaches the feature at column 1, lines 45-65.

Regarding claim 12, Applicant argues that the reference does not

disclose "wherein said set of motion vectors are associated with said

first source position and source positions proximate to said first source

position, and said first destination position and destination positions

proximate to said first destination position". However, Robertson

shows the cursor moving is from a first place to a second place. By

moving from one position to another position, it would have been

inherent that Robertson's system generates a set of motion vectors

corresponding to said motion of the cursor from the first position to the

second position. Therefore, the motion vectors have to be associated

with the source and destination positions.

Regarding claims 14-15, Applicant also argues Robertson does not

disclose "wherein said pointing cursor locks to said destination point

icon until said destination point icon is actuated by a user". However,

the step of prediction the intended user destination happens before

the system determine a direction of cursor movement (column 2, lines

25-36). Therefore, the pointing cursor locks to the destination point

until the destination point icon is actuated by a user.

Regarding claim 16, Applicant has also argued Robertson does not

disclose "wherein said motion of said pointing cursor proceeds from

said first source position to said destination point icon corresponding

to an ideal motion vector, said ideal motion vector motion changed

only if a new destination point icon is determined". However,

Robertson shows the cursor moving is from a first place to a second place. By moving from one position to another position, it would have been inherent that Robertson's system generates a set of motion vectors corresponding to said motion of the cursor from the first position to the second position. A correction vector tends to move the cursor motion becoming the ideal motion vector (see column 1, line 45 through column 2, line55).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran.

The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at 571-272-4136.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

703-872-9306

and / or:

571-273-4141 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100